

## REMARKS

The Office Action mailed January 7, 2008 has been given careful consideration by the applicant. Reconsideration and re-examination of the application is hereby respectfully requested. Claims 1-19 remain in the application.

### The Office Action

Claims 1-19 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,973,054 to Bjelland et al.

### The Claims Patentably Distinguish Over the Cited Art

The Examiner rejected claims 1-19 under 35 U.S.C. §102(e) as being anticipated by Bjelland et al. For at least the reasons set forth below, it is respectfully submitted that the subject claims are not disclosed by the citation of the Examiner.

The Applicant respectfully refers the Examiner to the previously submitted arguments on October 30, 2007. The Examiner's written response to those arguments is not persuasive. The Examiner seems to misunderstand the arguments. For example, Applicant argued that it appears that the call contexts being asserted by the Examiner included both the originating and terminating end points. Therefore, originating or terminating half-call contexts are not established thereby – only full-call contexts. The Examiner's position does not take into account that, in (for example) Figure 4 of the present application, the Applicant's half-call contexts contain two terminating points in the same media gateway -- not across the connection in the other gateway. Therefore, the rejection and the Applicant's response should be reconsidered.

In addition, the claimed subject matter relates to processing calls by dividing each call into a two-part model, which creates an originating half-call and a terminating half-call. In particular, independent claim 1 recites ***establishing an originating half call context for the call based on the originating information***. Independent claim 9 recites a similar aspect. The cited portions of Bjelland et al. fail to disclose or suggest the claimed subject matter.

Generally, Bjelland et al. relates to the use of multiple planes – a user plane

entity and two control plane entities. Parameters are sent to determine whether the control plane entities can control the user plane entity. The Examiner still contends that the cited reference discloses the claimed subject matter at Fig. 4 (See Final Office Action dated January 7, 2008 at page 3). Applicant's representative respectfully disagrees with such contention for the additional following reason.

The cited passage fails to disclose or suggest **establishing an originating half call context for the call based on the originating information**. Instead, the cited passage appears to disclose two nodes with a split architecture; the two nodes are a user plane, or media gateway (MG), and a control plane, or media controller (MC). By using split nodes, the cited reference appears to be able to communicate from the user plane to the control plane. However, communicating using split nodes is different than establishing an originating half call context for the call, because split nodes does not allow for a half call context. Rather, the split nodes allow for transfer of information between the nodes, and thus cannot inherently disclose or suggest half call context. Thus, the cited reference fails to disclose or suggest **establishing an originating half call context for the call based on the originating information**, as recited by independent claim 1.

Furthermore, independent claim 9 recites *means for transmitting the call content from the originating half call context to the terminating half call context based on the means for controlling*. Independent claim 1 recites a similar aspect. Again, the Examiner asserts that Bjelland et al. discloses the claimed subject matter at Fig. 4 (See Final Office Action dated January 7, 2008 at page 6). Applicant's representative avers to the contrary.

As detailed above, the cited passage of Bjelland et al. fails to disclose a half call context. The use of two controllers is different than a half call context, because the use of two controllers is not indicative of a call divided. The cited passage cannot transmit from the originating half call context to the terminating half call context. Consequently, the cited passage fails to disclose or suggest *means for transmitting the call content from the originating half call context to the terminating half call context based on the means for controlling*, as independent claim 9 (and independent claim 1 similarly) recites.

Moreover, the Examiner relies on inherency for establishing at least seven of the claimed elements. In the unlikely event that the concept of a half call context can be gleaned from the cited reference, the recited steps and/or elements of the claims are not disclosed in the same order as disclosed in the subject claims. Identical order is required for proper rejection based on anticipation.

In view of the foregoing, it is readily apparent that the cited portions of Bjelland et al. fail to disclose or suggest each and every element of the subject claims. Thus, it is respectfully requested that this rejection be withdrawn with respect to claims 1 and 9, as well as dependent claims 2-8 and 10-19 which depend therefrom.

### **CONCLUSION**

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-19) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

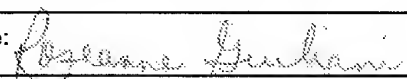
In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Joseph D. Dreher, at (216) 861-5582.

Respectfully submitted,

Fay Sharpe LLP

July 2, 2008  
Date

  
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